

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/31/2017

BOARD MEMBERS PRESENT: Paul J Weston - Chair
Gail L King
Carla Anne Steen
Linda A Chatburn

BOARD MEMBERS ABSENT: Deborah A Karren

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Maurie Ellsworth, General Counsel
Marcie Rightnowar, Investigative Unit
Jean R. Uranga, Board Prosecutor
Dicsie Gullick, Management Assistant
Candace L. Villarreal, Technical Records

OTHERS PRESENT: Becky Olinger, AMTA President,
Tracy Koehler-Lillian, AMTA member

The meeting was called to order by Paul J. Weston at **8:32 AM MDT**

APPROVAL OF MINUTES

Ms. Chatburn made a motion to approve the minutes of 05/22/2017 and 06/26/2017. It was seconded by Ms. King. Motion carried.

EXECUTIVE ORDER

Ms. Cory reviewed the Executive Order issued by Acting Governor Little which requires State agencies to submit a report to the Office of the Governor no later than July 1, 2018. The report will assess whether the licensure requirements are necessary and in the public interest while providing recommendations for improvement, modification or elimination. Ms. Cory also updated the Board on the information and process for public comment which has been added the Board's website. The Board asked Ms. Hall to draft a notification to be inserted with renewal forms. Becky Olinger, American Massage Therapy Association, President, stated that she will add the link to the AMTA Facebook page and newsletter.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadline to submit legislative ideas to the Governor's Office was July 14, 2017 and the deadline to submit proposed legislation and rule changes to the Governor's Office is August 18, 2017 for the 2018 Legislative Session.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$294,351.39 as of June 30, 2017.

CONTRACT RENEWAL

Ms. Hall presented the 2018 fiscal year Board Contract. Ms. King made a motion to approve the contract and allow the Chair to sign. It was seconded by Ms. Steen. Motion carried.

DISCIPLINE

Ms. Uranga presented a Stipulation and Consent Order regarding case MAS-2017-21. After discussion, Ms. King made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Chatburn. Motion carried.

INVESTIGATIVE REPORT\$\$

Ms. Rightnowar gave the investigative report, which is linked above.

OLD BUSINESS

To Do List – The Board reviewed to do list, no action was taken.

COUNCIL ON LICENSURE ENFORCEMENT AND REGULATION (CLEAR) TRAINING

The Board discussed CLEAR training that is available through the Federation of State Massage Therapy Boards. Ms. Chatburn made a motion to have the Bureau set up CLEAR training for the Board. It was seconded by Ms. King. Motion carried.

NEW BUSINESS

NEXT MEETING was scheduled for **September 18, 2017 at 8:30 AM MDT.**

PUBLIC COMMENT

Becky Olinger, AMTA President, introduced Tracy Koehler-Lillian, the new AMTA Government Relations and Education Representative to the Board.

CLEAR WEBINARS

The Board discussed the CLEAR Webinars that were available in June. Ms. King made a motion to authorize the Board Chair to review possible webinars and approve member participation. It was seconded by Ms. Steen. Motion carried.

TUITION WORK OFF PROGRAM

The Board discussed the Tuition Work-Off Program and asked Ms. Hall to update the FAQ page regarding Idaho Codes § 54-4002 and § 54-4005 to include updated verbiage regarding donations and stipends.

DISTANCE LEARNING/ONLINE EDUCATION

The Board discussed a question concerning Distance Learning/Online Education as it pertains to licensure requirements. Ms. Chatburn volunteered to take this matter to the Federation of State Massage Therapy Boards Annual Meeting in September 2017. The Board discussed Rules 010.01 and 601.01 and will require more information regarding the school curriculum before a determination can be made. Ms. Chatburn made a motion to respond to the individual according to Board discussion. It was seconded by Ms. King. Motion carried.

AMEND AGENDA

Ms. Chatburn made a motion to amend the agenda to include the Settlement and Consent order in the case of MAS-2018-1 because it had just been received.

FOR BOARD DETERMINATION

Ms. Rightnowar presented the Settlement and Consent order in the case of MAS 2018-1. Ms. Chatburn made a motion to accept the Settlement and Consent Order and to allow the Chair to sign. It was seconded by Ms. Steen. Motion carried.

TUITION WORK-OFF PROGRAM

Ms. Hall presented a revision to the FAQ regarding tuition work off programs. Ms. Chatburn made a motion to accept the FAQ as written with the understanding that “establishment” meant “school.”

DISCUSSION REGARDING NEWSPAPER ARTICLES

The Board reviewed articles that appeared in the Idaho Statesman and Lewiston Tribune entitled, "Idaho Massage Pros Get in to Trouble When Boundaries Aren't Clear" by Audrey Dutton. No Board action was taken.

DISCUSSION REGARDING CUPPING

The Board discussed cupping related to continuing education. The Board determined that while energy based cupping is an exempted modality per Idaho Code § 54-4002, it is possible that certain cupping courses could be germane to massage therapy. The Board would require course syllabus or other materials to be submitted for review to make a determination. No further action was taken.

CORRESPONDENCE

The Board reviewed correspondence from Susan Beck regarding Idaho State University transcripts. No action was taken.

The Board reviewed correspondence from Lydia Benson regarding educational program standards. Ms. Chatburn made a motion to direct the Bureau to send correspondence to Ms. Benson stating that if she feels there is a violation of laws and rules, she may submit a complaint to the Bureau. It was seconded by Ms. King. Motion carried.

The Board reviewed correspondence from the FSMTB regarding nominations for members of the Board of Directors. No action was taken.

The Board reviewed correspondence from the FSMTB regarding their June, July, and August "In Touch with FSMTB" newsletters. No action was taken.

The Board reviewed correspondence from the FSMTB regarding the job task analysis. No action was taken.

EXECUTIVE SESSION

Ms. King made a motion that the Board go into executive session under Idaho Code § 74-206(1) (d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Chatburn. The vote was: Ms. King, aye; Ms. Steen, aye; Ms. Chatburn, aye; and Mr. Weston, aye. Motion carried.

Ms. King made a motion to come out of executive session. It was seconded by Ms. Chatburn. The vote was: Ms. King, aye; Ms. Steen, aye; Ms. Chatburn, aye; and Mr. Weston, aye. Motion carried.

CORRESPONDENCE

Ms. Chatburn made a motion directing the Bureau to respond to the licensee's request regarding reconsideration of the Gua Sha continuing education course. Ms. Chatburn made a motion to deny the Gua Sha course because it is exempt under Idaho Code § 54-0003.02(g) and to approve the 6 hour course on Rotator Cuff Dysfunction, Prevention and Treatment, allowing for 3 rollover hours. It was seconded by Ms. King. Motion carried.

APPLICATIONS

Ms. Chatburn made a motion to approve the following applications for licensure:

HART JENNIFER	MASA-3268
COLELLI, CASSANDRA	MASA-3275
WILLIS AMITY	MASA-3267

It was seconded by Ms. Steen. Motion carried. Ms. King recused herself from voting and discussion.

Ms. Chatburn made a motion to approve the following applications pending receipt of documents:

901153166

It was seconded by Ms. Steen. Motion carried. Ms. King recused herself from voting and discussion.

Ms. Chatburn made a motion to approve the following applications for licensure pending receipt of documents and Board Chair review:

901153011
901153157
901152850
901152739
901153797

It was seconded by Ms. King. Motion carried.

Ms. King made a motion to approve the following applications for licensure:

BREN ERICA RENEE	MASA-3246
CHILDS MELISSA ERIN	MASA-3272
CRETOL DAVID L	MASA-3256
DEMERS MATHEW COLE	MASA-3262
EVANS ELIZABETH	MASA-3269
FENG ZHISONG	MASA-3248

KILGO MARIA H	MASA-3259
KOWALLIS WENDY MAYO	MASA-3255
LOPEZ AMELIA MELISSA	MASA-3274
MCGILL DANELLE	MASA-3270
PIPER JUSTIN TYREL	MASA-3131
ROBISON BOBBI JO	MASA-3279
TAYLOR VICTORIA LEEANN	MASA-3277
TRUDEL MARIE PIERETTE	MASA-3271
VOGEL RACHAEL CARIE	MASA-3251
WEBB BROOKLYN SARAH	MASA-3273

It was seconded by Ms. Chatburn. Motion carried.

Ms. King made a motion to Table the following applications for more information:

901152846
901153209

It was seconded by Ms. Chatburn. Motion carried.

Ms. King made a motion to approve the following applications pending receipt of documents:

901153070
901153167
901153082
901153151
901153025
901153199
901153310
901153311
901153312
901153317

It was seconded by Ms. Chatburn. Motion carried.

CE COURSES

Ms. Chatburn made a motion to deny the application for the continuing education courses entitled "The Best Indian Head Massage" and "Indian Head Massage for Chair and Table" and to have the Bureau send a letter to the applicant to request further information regarding the courses. It was seconded by Ms. Steen. Motion carried.

Ms. Chatburn made a motion to approve the licensee submitted CE courses of Ethics and Anatomy and Physiology. It was seconded by Ms. Steen. Motion carried.

BOARD ELECTIONS

Ms. Chatburn made a motion to nominate Mr. Weston as Board Chair. It was seconded by Ms. King. Motion carried.

Ms. Chatburn made a motion to nominate Ms. King as Board Vice-Chair. It was seconded by Ms. Steen. Motion carried.

ADJOURNMENT

Ms. King made a motion to adjourn the meeting at **3:34 PM MDT**. It was seconded by Ms. Chatburn. Motion carried.

Paul J Weston, Chair

Gail L King

Carla Anne Steen

Linda A Chatburn

Deborah A Karren

Tana Cory, Bureau Chief